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IDENTICAL LETTERS DATED 12 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to transmit herewith the text of the note verbale dated 11 March 1998 presented by the Government of Turkey to the Government of Greece for settlement of the problems in the Aegean (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

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Annex

Note verbale dated 11 March 1998 presented by the Government of Turkey to the Government of Greece

The Ministry of Foreign Affairs of the Republic of Turkey presents its compliments to the Embassy of Greece and, with reference to the latter's note No. 1323/75/752 dated 26 February 1998, concerning the reply of the Government of Greece to the Turkish Government's proposals conveyed through the Ministry's note verbale No. DHGY-329 dated 12 February 1998, has the honour to communicate the following:

Turkey has given due consideration to the reply put forward by the Government of Greece through the letter dated 20 February 1998 of His Excellency Mr. Theodoros Pangalos, Minister for Foreign Affairs of Greece, in response to the Turkish proposals contained in its above referred note.

The general conclusion drawn from the content of the said letter is that the Greek Government has declined to consider favourably these proposals and has adopted a negative position.

Turkey is of the opinion that an important opportunity to settle all Turkish-Greek differences by peaceful means and to develop good-neighbourly relations between the two countries which would contribute to peace and security in the region is being disregarded by Greece.

The main cause of the tension prevailing in the Aegean is the existence of unresolved problems between Turkey and Greece. In this light, the position taken by Greece to decline once again peaceful settlement of these disputes is not helpful.

Turkey wishes to avoid further deterioration in our relations. It is determined to pursue its efforts for reaching lasting solutions to the outstanding disagreements and wishes to invite Greece to contribute in good faith to these efforts.

The existence of a number of outstanding differences over the Aegean is an objective reality. This cannot be denied by describing them as unilateral claims. Many of these problems have arisen from one-sided Greek decisions which are in conflict with international law and practice, such as the Greek national airspace claim, which no country recognizes. These disputes are serious. Therefore, their timely identification and settlement require thorough consideration and efforts in goodwill by both Greece and Turkey. It is with this understanding that the starting point of the Turkish peace initiative of 12 February 1998 was to invite Greece to identify jointly the entire set of interrelated problems in the Aegean, as a first step in this process.

The preliminary stage of a dispute settlement process requires the identification of all the problems so that both countries can come to an agreement on determining the appropriate means of settlement to be applied to each of them.

Turkey wishes to urge Greece to desist from the evasive attitude it has persistently adopted towards various Turkish proposals, as it blocks a serious approach to the issues between the two countries.

Turkey genuinely wishes and is committed to the resolution of the outstanding disagreements related to the Aegean through peaceful means, based on mutual consent, including appropriate third-party procedures best suited to their specific nature. The essential requirements such as the form, basis, scope, terms and conditions of such means should necessarily be discussed between the parties.

Turkey is of the opinion that, in the meanwhile, it is essential that both Turkey and Greece should exercise the utmost restraint and refrain from any action that might lead to the aggravation of the situation in the Aegean. It is also imperative that both countries respect each other's legitimate and vital interests and concerns in the Aegean and refrain from unilateral acts, as they have undertaken in the Madrid Declaration. Turkey takes the commitments in the said Declaration seriously and expects Greece to do the same.

Turkey sees no rationale behind the unfavourable reply of the Greek Government to its proposal to formalize the Madrid Declaration of 8 July 1997, since this Declaration embodies important principles which should be respected unreservedly by both countries.

The issue of confidence-building measures was included in the Turkish proposals so that both countries would express a firm and unequivocal commitment to develop and mutually implement them as an integrated whole in collaboration with the Secretary-General of the North Atlantic Treaty Organization. Turkey expects Greece to reaffirm its readiness and political will to implement fully all the confidence-building measures enumerated in the 1988 Memoranda of Understanding, as well as those proposed by the Secretary-General.

Turkey would like to offer the following comments in relation to the arguments raised in the Greek reply of 20 February 1998 concerning acceptance by Turkey of the compulsory jurisdiction of the International Court of Justice by a unilateral declaration under article 36 (2) of the Statute of the Court. It will be recalled that, in 1993, Greece for the first time recognized the Court's jurisdiction in this sense, but with a reservation. This reservation is unique, since it explicitly aims to exclude certain breaches of contractual obligations, deriving from the provisions of the international agreements, from the jurisdiction of the Court.

The course of action proposed by Turkey is in full conformity with international law and practice and offers a more realistic approach to making progress towards a lasting and comprehensive settlement of the outstanding differences related to the Aegean.

The reply given by Greece regarding the "Wisemen" process does not reflect the realities. The contribution of the Presidency of the European Union to the "Wisemen" procedure has not been more than a facilitating role in exchanging the letters of the Group members. According to its agreed mandate, activation of the "Wisemen" procedure depends solely on the willingness of Turkey and Greece.

In fact, it was because of this lack of willingness on the part of Greece that the Group has been unable to convene since May 1997 and study all disputes between the two countries.

Turkey has always been in favour of meetings between the Ministers for Foreign Affairs of the two countries, as well as between their senior diplomats, with a view to setting in motion a process of peaceful settlement, starting with the identification of issues between Turkey and Greece. The delimitation of the continental shelf which is one of the problems to be resolved shall also be taken up in the context of these discussions. It will be appreciated that meetings to be held on the margins of international gatherings that are not designed for the aforementioned purpose will not provide the best format in view of the nature and seriousness of the Aegean issues that divide our two countries.

Turkey hopes that its aforementioned considerations and views will be studied by the Greek Government in the constructive spirit in which they are presented.